UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE at CHATTANOOGA

DEBORAH TURBEVILLE,)	
Plaintiff,)	
)	
v.)	No. 1:05-cv-107
)	Edgar
JO ANNE B. BARNHART,)	
Commissioner of Social Security,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

Plaintiff Deborah Turbeville brings this action pursuant to 42 U.S.C. §§ 405(g) and 1383(c)(3) seeking judicial review of the final administrative decision of the Commissioner of Social Security denying her a period of disability and disability insurance benefits under Title II of the Social Security Act, 42 U.S.C. §§ 416(i) and 423. This case was referred to United States Magistrate Judge Susan K. Lee pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b) for a report and recommendation. The Magistrate Judge filed her report and recommendation on August 15, 2006. [Doc. No. 30]. The parties have not timely filed any objections.

After reviewing the record, the Court **ACCEPTS** and **ADOPTS** the report and recommendation pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b). The plaintiff's motion for summary judgment [Doc. No. 10] is **DENIED**. The plaintiff's motion for default judgment [Doc. No. 20] is **DENIED**. The plaintiff 's motion for sanctions [Doc. No. 27] is **STRICKEN** as

MOOT, especially in view of the plaintiff's desire to withdraw the motion for sanctions [Doc. No.

28]. The defendant's motion for summary judgment [Doc. No. 17] is **GRANTED** pursuant to Fed.

R. Civ. P. 56. The administrative decision of the Commissioner of Social Security will be

AFFIRMED, and the plaintiff's complaint will be **DISMISSED WITH PREJUDICE** with each

party to bear their own costs of this action. The Clerk of Court is **DIRECTED** to enter a separate

final judgment in accordance with this memorandum opinion and order. The Clerk of Court shall

close the record in this case.

SO ORDERED.

ENTER this the 30th day of August, 2006.

/s/ R. Allan Edgar

R. ALLAN EDGAR

UNITED STATES DISTRICT JUDGE